

IN RE: PETITION FOR ZONING VARIANCE  
E/S Sprinkle Lane, 175' S of  
the C/L of Caves Road  
(10707 Sprinkle Lane)  
3rd Election District  
3rd Councilmanic District  
Jill Coleman  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-204-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 26 feet in lieu of the required 50 feet for a proposed addition and a side yard setback of 0 feet in lieu of the required 2.5 feet for an accessory building (shed), as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared and testified. There were no Protestants. Testimony indicated that the subject property, known as 10707 Sprinkle Lane, consists of 22,542 sq. ft. zoned R.C. 5 and is improved with a single family dwelling. Petitioner is desirous of constructing a 1 and 1/2 story addition along the south side of the existing dwelling to provide additional habitable space. Testimony indicated that a dining room will be added on the first floor and a bedroom on the second floor. Evidence presented indicates that the property is rectangular in shape, and runs lengthwise from Sprinkle Lane. Further, that the property is too small and does not meet current standards for a buildable lot. Due to the layout of the existing dwelling and its location on the lot, the proposed improvements cannot be accomplished without the requested variance. Testimony indicated the proposed shed is presently existing on the south side of the property near the rear of the existing dwelling. Petitioner testified the shed, which is approximately 7'6" x 13', was brought in by truck

and an attempt was made to place the shed along the rear property line. Ms. Coleman testified the rear half of the property is a steep hillside and as a result of the truck's inability to carry the shed up the hill, the shed remains at the foot of the hill. Testimony indicated the house on the adjoining property on the south side is situated far back from the road and as such, the present location of the shed places it in the front view of the adjoining property. Ms. Coleman testified that the proposed location for the shed on the north side of her house will be less objectionable and will not result in any opposition from the adjoining property owners on that side. Testimony indicated the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of December, 1989 that the Petition for Zoning Variance to permit a side yard setback of 26 feet in lieu of the required

50 feet for a proposed addition and a side yard setback of 0 feet in lieu of the required 2.5 feet for an accessory building (shed), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bja

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Town, Maryland 21204  
(301) 887-3303  
J. Robert Haines  
Zoning Commissioner

December 20, 1989



Jill Coleman, Esquire  
10707 Sprinkle Lane  
Owings Mills, Maryland 21117

RE: PETITION FOR ZONING VARIANCE  
E/S Sprinkle Lane, 175' S of the C/L of Caves Road  
(10707 Sprinkle Lane)  
3rd Election District - 3rd Councilmanic District  
Jill Coleman - Petitioner  
Case No. 90-204-A

Dear Ms. Coleman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bja

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 26 foot side yard setback for an addition and an accessory building (shed) in the side yard of the property, as more particularly described in Exhibit 1, attached hereto, and as more particularly described in Exhibit 1, attached hereto, and as more particularly described in Exhibit 1, attached hereto.

This property is very small, not typical of the adjoining neighborhoods, and also predates any zoning regulations by half a century.

Property is to be used and advertised as provided by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertisement, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, or we, do solemnly declare and affirm, under the penalties of perjury, that I, or we, are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State

Attorney's Telephone No.:  
Address  
City and State

ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, this 29th day of December, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 29th day of December, 1989, at 4:30 o'clock P.M.

REVIEWED BY: J. Robert Haines

ZONING DESCRIPTION

Beginning on the east side of Sprinkle Lane, 15 feet wide, at the distance

of 175 feet south of the centerline of Caves Road. Also known as

10707 Sprinkle Lane, containing .57 acres in the 3rd Election District.

This Deed, MADE THIS 24th day of September,

in the year one thousand nine hundred and eighty-seven by and between

GEORGE B. P. WARD, Personal Representative of the Estate of Ruth W. Sprinkel, deceased,

of Baltimore County, State of Maryland, party of the first part, and

JILL COLEMAN, also known as Caroline M. Coleman and MARTHA M. MORREL, her mother, of Baltimore County, State of Maryland, parties

of the second part.

WITNESSETH, That in consideration of the sum of SEVENTY-SIX THOUSAND FIVE HUNDRED AND 00/100 (\$76,500.00) DOLLARS, the receipt whereof is hereby acknowledged,

the said party of the first part, Personal Representative as aforesaid, pursuant to and in exercise of the powers vested in him, STATE DEPARTMENT OF ASSESSMENTS & TAXATION

does grant and convey to the said parties of the second part, as joint tenants and not as tenants in common, their assigns and unto the survivor of them, her

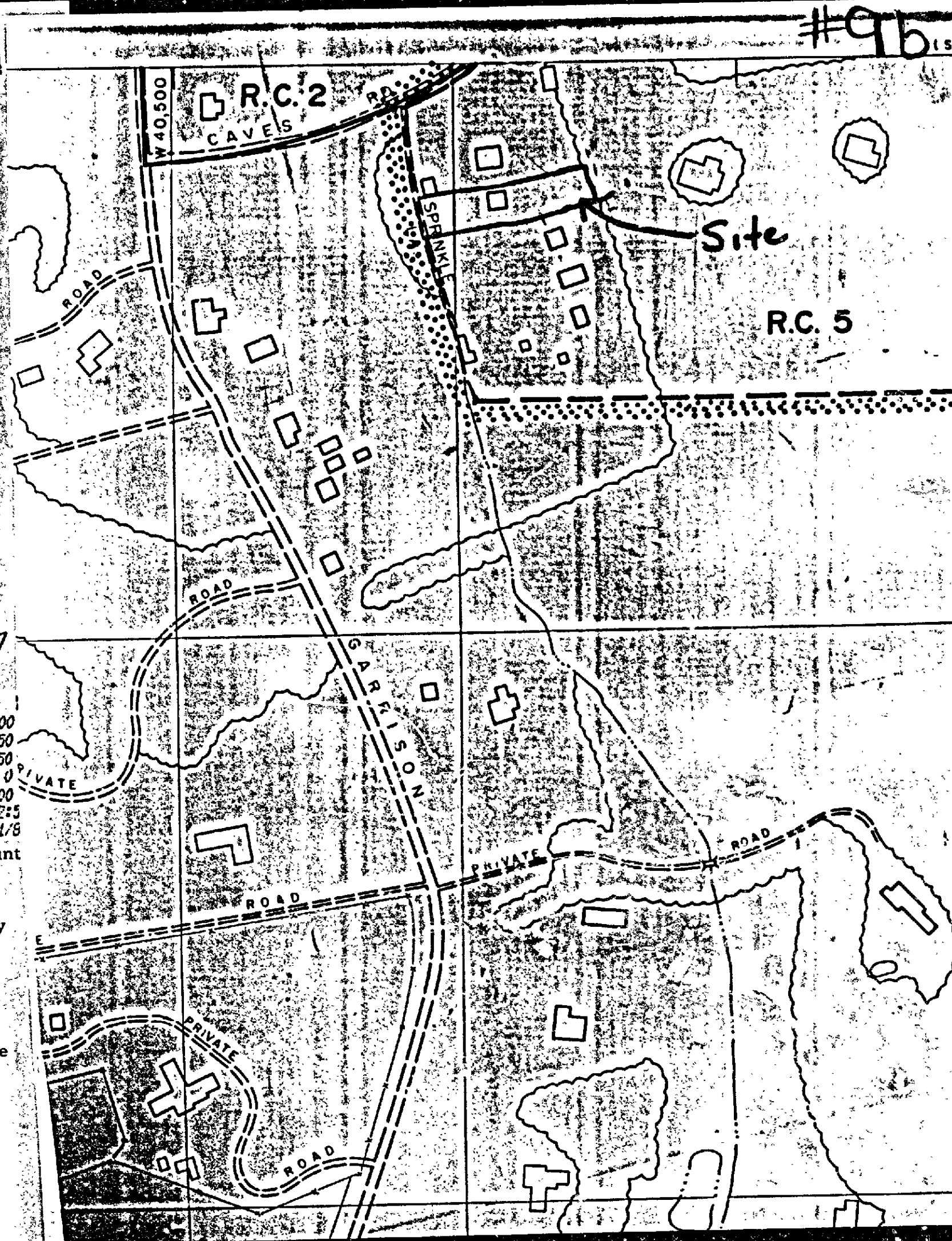
personal representatives, assigns and assigns, in fee simple, all that certain lot

that lot of ground situate in the Third Election District of Baltimore County State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the east side of a road 12 feet wide extending southerly from Caves Road a short distance east of the corner of Caves and Garrison Forest Roads at a stone heretofore planted at the beginning of the land described in a deed from Clarence Lee Disney, et al, to Samuel M. Shoemaker dated September 2nd, 1918 and recorded among the Land Records of Baltimore County in Liber W.P.C. #502, folio 574, etc. being about 161 feet 9 inches southerly from the center line of Caves Road and running thence binding on the east side of said 12 foot road with the use thereof in common with others south 4 degrees 49 minutes east 95 feet 9 inches to a stone heretofore planted at the beginning of the land described in a deed from Annie R. Brooks and husband to E. Davis Cole dated November 27, 1905 and recorded among the said Land Records in Liber W.P.C. #292, folio 472, etc. thence binding reversely on the fourth line of said land north 79 degrees 49 minutes east 295 feet 7 inches to the northeast outline of the land conveyed by Edward N. Rich, Attorney to Annie R. Brooks and John T. Brooks by deed dated August 11, 1887 and recorded among said Land Records in Liber J.W.S. #164, folio 153, etc. thence binding on part of said outline reversely north 14 degrees 39 minutes 40 seconds west 70 feet to a point 1 foot 1 inch east of a stone heretofore planted for the end of the first line of the land described in the deed from Annie R. Brooks and husband to Stephen O. Griffin dated April 29, 1905 and recorded among said Land Records in Liber W.P.C. #287, folio 5, etc. thence binding on the second line of said land south 85 degrees no minutes 30 seconds west passing through said last mentioned stone and over the concrete cover of a wall 282 feet 4 inches to the place of beginning. Also the right of way and use in common of a 12 foot roadway along the west end of said tract of land to the County road known as the Caves Road.

BEING the same property described in a Deed dated February 26, 1942 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1207, folio 292; from George W. Shaneybrook and Mary A. Shaneybrook, his wife, to John W. Sprinkel and Ruth W. Sprinkel, his wife.

The said John W. Sprinkel having predeceased the said Ruth W. Sprinkel and the





**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

November 21, 1989

Ms. Jill Coleman  
10707 Sprinkle Lane  
Owings Mills, MD 21117

RE: Item No. 96, Case No. 90-204-A  
Petitioner: Jill Coleman  
Petition for Zoning Variance

Dear Ms. Coleman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
*James E. Dyle*  
JAMES E. DYLE  
Chairman  
Zoning Plans Advisory Committee

JED:je  
Enclosures

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this 29th day of September, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:  
*James E. Dyle*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Jill Coleman  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 90-204A  
Jill Coleman, Item 96

DATE: November 2, 1989

The Petitioner requests relief from various setback requirements. In reference to this request, Staff offers no comment. If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gl  
ZPVARIQU

NOV 06 1989

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 406  
Towson, Maryland 21204  
(301) 887-3554

November 9, 1989

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RECEIVED  
NOV 16 1989  
ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 87, 94, 95, 97, 98, 99, 100, 101, 102 and 104.

Very truly yours,  
*Michael S. Flanagan*  
Michael S. Flanagan,  
Traffic Engineer Associate II

MSF/lab

Baltimore County  
Fire Department  
400 Eri Road  
Towson, Maryland 21204  
(301) 887-4100

Paul H. Rasmussen  
Fire Chief

September 25, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JILL COLEMAN  
Location: E/S OF SPRINKLE LANE  
Item No.: 96  
Zoning Agenda: SEPTEMBER 26, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Rasmussen* Noted and Approved  
Planning/Codes Division  
Special Inspection Division  
Fire Prevention Bureau

JP/KEK

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: *3rd* Date of Posting: *11-7-89*

Posted for: *Variance*

Petitioner: *Jill Coleman*

Location of property: *E/S of Sprinkle Lane, 175' S of c/l of Owens Rd.*

Location of Signs: *Along front of 10707 Sprinkle Lane*

Remarks:

Posted by: *J. Robert Haines* Date of return: *11-10-89*

Number of Signs: *1*

**CERTIFICATE OF PUBLICATION**  
TOWSON, MD. November 2, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the OWINGS MILLS TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 2, 1989.

OWINGS MILLS TIMES,  
*S. Zebe Olson*  
Publisher

**CERTIFICATE OF PUBLICATION**  
TOWSON, MD. November 2, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 2, 1989.

THE JEFFERSONIAN,  
*S. Zebe Olson*  
Publisher

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 9:30 a.m. on November 2, 1989 at 9:30 a.m. Petition for Zoning Variance Case number: 90-204-A E/S Sprinkle Lane, 175' S of c/l of Owens Road 10707 Sprinkle Lane 3rd Election District 3rd Councilmanic District. Hearing Date: Wednesday, Nov. 26, 1989 at 9:30 a.m. Variance: To permit a 25 foot side yard setback for an addition and an accessory building (shed) in the side yard with a 0 foot side yard setback to the rear of the 10 foot rear yard, and 2 1/2 feet, respectively. It is the order of the Zoning Commission that a building permit may be issued within the 30 day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during the period for good cause shown. Such request must be in writing and received in the office by the date of the hearing and shown or presented at the hearing. NOTICE: If the "SPAWN EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3291 to confirm hearing date.) J. ROBERT HAINES Zoning Commissioner of Baltimore County OU 11011 November 2.

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

Ms. Jill Coleman  
10707 Sprinkle Lane  
Owings Mills, Maryland 21117

RE: Petition for Zoning Variance  
CASE NUMBER: 90-204-A  
E/S Sprinkle Lane, 175' S of c/l of Owens Road  
10707 Sprinkle Lane  
3rd Election District - 3rd Councilmanic  
Petitioner(s): Jill Coleman  
HEARING: WEDNESDAY, NOVEMBER 29, 1989 at 9:30 a.m.

Dear Ms. Coleman:

Please be advised that \$114.55 is due for advertising and posting of the above captioned property.

**receipt**  
Account: R-001-6150  
Number: *90-204*  
Date: 11/29/89  
PUBLIC HEARING FEES  
USD - POSTING SIGNS / ADVERTISING 1 x \$114.55  
LAST NAME OF OWNER: COLEMAN  
TOTAL: \$114.55

Cashier Validation: 8 8018\*\*\*\*\*1145518 2294F  
Please make checks payable to: Baltimore County



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

September 19, 1989



Dennis F. Rasmussen  
County Executive

Ms. Jill Coleman  
10707 Sprinkle Lane  
Owings Mills, Maryland 21117

Re: Request for Expedited Hearing  
ITEM #96

Dear Ms. Coleman:

A forty percent increase of petitions filed, regulations which exact the time frame hearings must be set, along with a number of hearings coming four to five days, result in an inability to schedule any early hearing dates.

As your reasons for an expedited hearing have merit, it is with regret that I must inform you of this fact.

However, your request has been duly noted. Should the docket open up, due to postponement or withdrawal, and advertising and posting time guides can be met, this matter will be slipped into the open slot.

Very truly yours,

G. G. Stephens  
Hearing Desk  
887-3391

GGS:mf

Jill Coleman  
10707 Sprinkle Lane  
Owings Mills, MD 21117

Phone: (301) 363-7748

Sept. 14, 1989

Mr. J. Robert Haines  
Zoning Commissioner for Baltimore County  
111 West Chesapeake Ave.  
Towson, MD 21204

Dear Mr. Harris,

Because of hardship I request an expedited hearing regarding my application for a zoning variance for my residential property at 10707 Sprinkle Lane in Owings Mills, Baltimore County, Maryland. There is nothing at issue and nothing in conflict in this case. My small 1903 house on its narrow lot is just caught in the terms of subsequent zoning regulations that were not designed with it in mind.

These are the facts. In July, 1989, when I first inquired about side-yard set-backs, I was told that the zoning requirement was 20 feet for additions. Relying on that information, I contracted with a builder to construct a small addition to my house. He is scheduled to begin in October, 1989. Only this morning have I found that I have been misinformed: on my side of Sprinkle Lane there is a fifty-foot set-back requirement because the zoning is R-5. (This seems to be because our tiny pocket of land on Sprinkle Lane--four little old houses--requires wells and septic tanks.)

Because my lot is less than a hundred feet wide, there is no way I can ever make any addition under present zoning regulations. I will be happy to supply a letter from my dear neighbor if necessary. She is out of town as I write this, and furthermore, I do not want to inconvenience her if it is not necessary.

Since this matter is so urgent, I thank you for your prompt attention. And in addition, I thank your planner, Mr. Mitch Keilman. He brought my attention to the need for this variance while he was reviewing my application for a variance for a small shed.

Very truly yours,

Jill Coleman  
Jill Coleman

RECEIVED  
SEP 15 1989  
ZONING OFFICE

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

October 17, 1989

# NOTICE OF HEARING



Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-204-A  
E/S Sprinkle Lane, 175' S of c/l of Caves Road  
10707 Sprinkle Lane  
3rd Election District - 3rd Councilmanic  
Petitioner(s): Jill Coleman  
HEARING: WEDNESDAY, NOVEMBER 29, 1989 at 9:30 a.m.

Variance: To permit a 28 foot side yard setback for an addition and an accessory building (shed) in the side yard with a 0 foot side yard setback in lieu of the 50 foot, rear yard, and 2 1/2 feet, respectively.

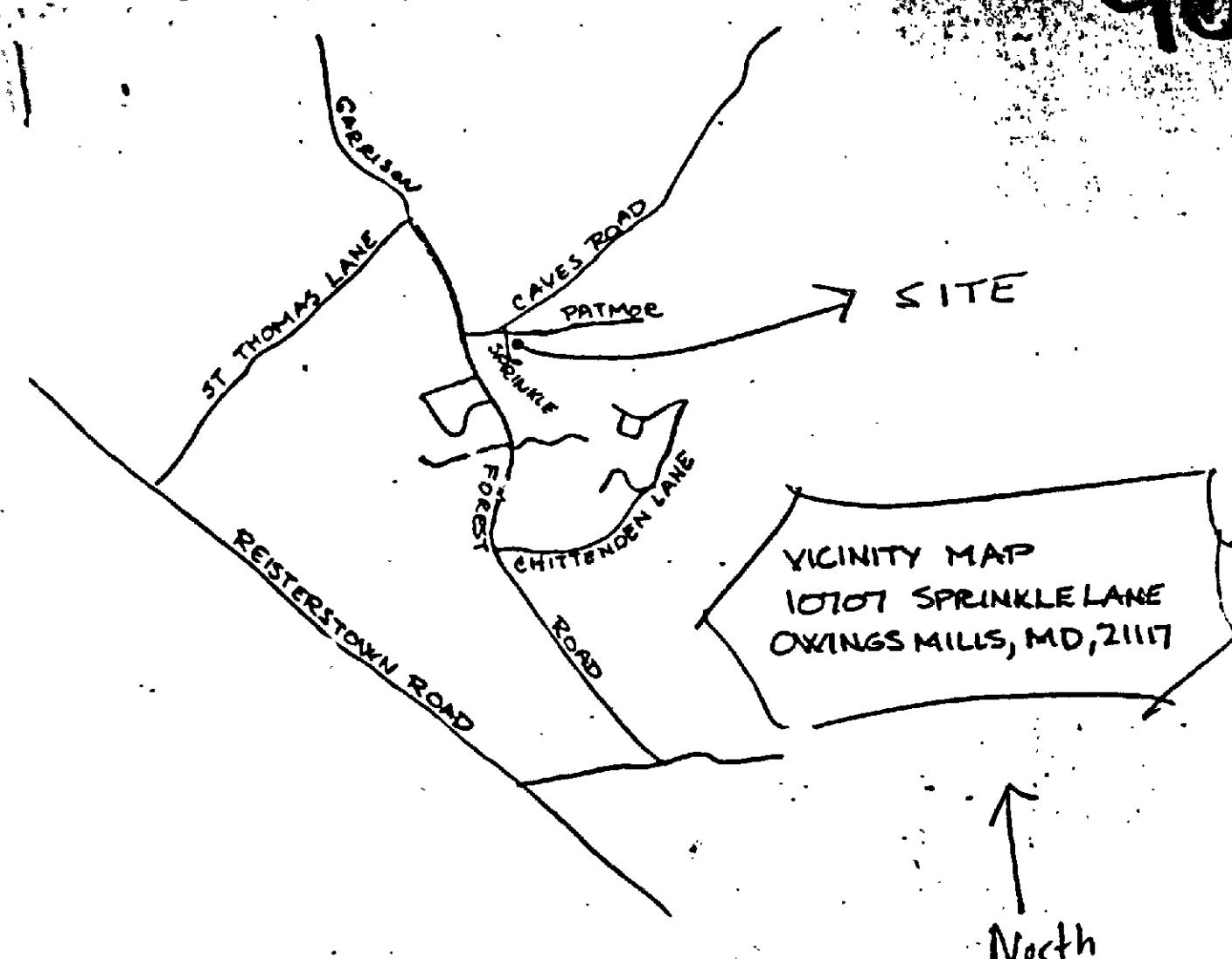
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:  
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

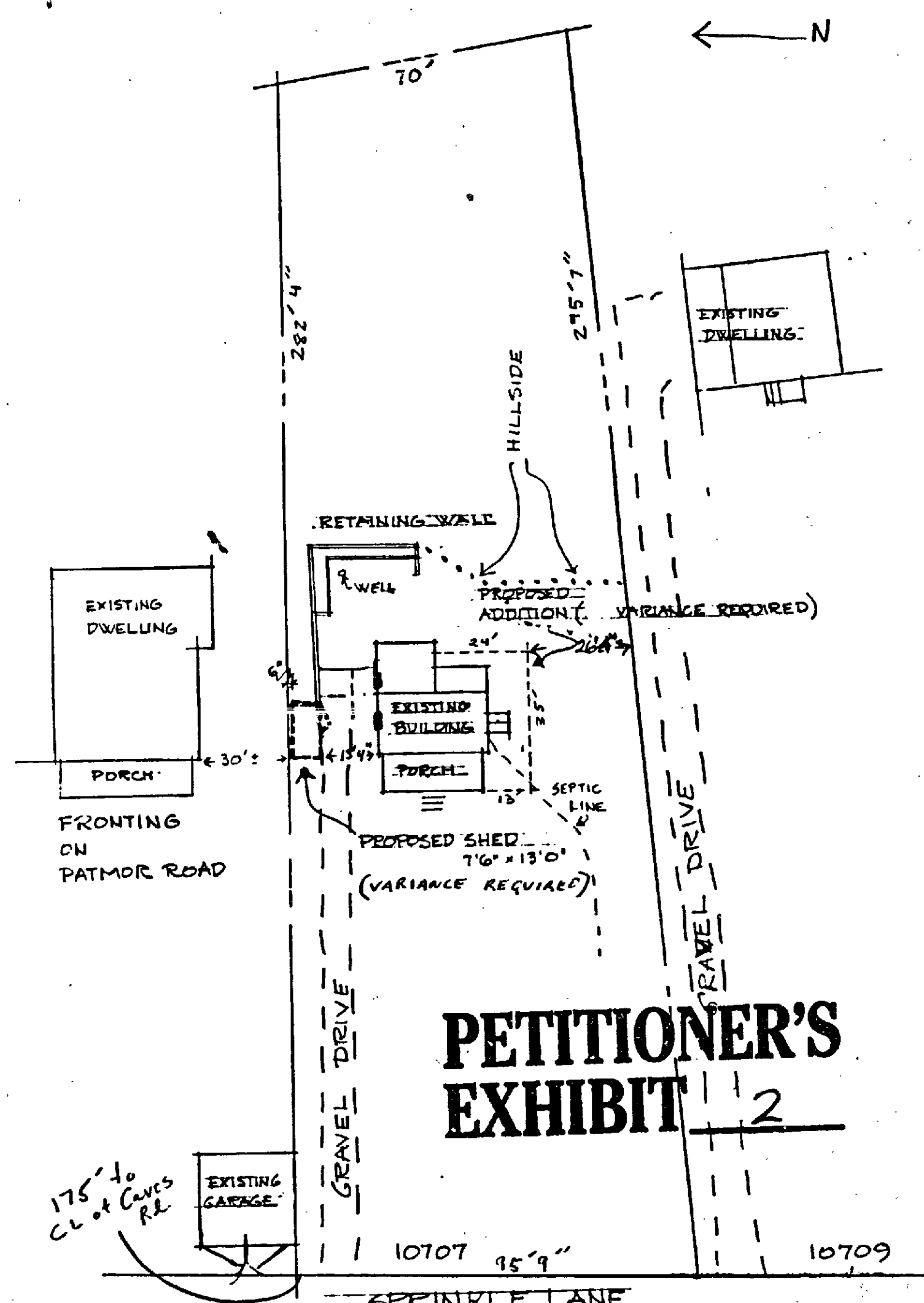
J. Robert Haines

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRH:gs  
cc: Ms. Coleman  
File



PETITIONER'S  
EXHIBIT 1



PETITIONER'S  
EXHIBIT 2

PLAT FOR ZONING VARIANCE  
OWNER - JILL COLEMAN  
DISTRICT - 3, ZONED RC 5  
WELL AND SEPTIC SERVE LOT  
LOT - 3, BLK. - BOOK No. - FOLD -  
LOT NOT IN A RECORDED SUBDIVISION  
SCALE: 1"=30'

LOT SIZE: 22,542 sq ft  
Approx. .57 ACRES